

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

B.P., H.A., and S.H., individually, and)
on behalf of all other similarly)
situated,)
Plaintiffs,)
v.)
CITY OF JOHNSON CITY, et al.,)
Defendants.)
)

No. 2:23-cv-00071-TRM-JEM
Judge McDonough
Magistrate Judge McCook

**DISTRICT ATTORNEY GENERAL STEVEN FINNEY'S
MOTION TO QUASH SUBPOENAS AND FOR PROTECTIVE ORDER**

Undersigned counsel for District Attorney General Steven Finney, a nonparty, hereby enters a *limited* appearance for the purpose of moving the Court to quash two subpoenas served by Plaintiffs and to move for a protective order. Fed. R. Civ. P. 26, 45. Undersigned counsel certifies that she has conferred with the Plaintiffs in good faith and that they have been unable to come to an agreement. On April 22, 2024, counsel for Plaintiffs served a subpoena upon General Finney to testify in a deposition in a civil action on July 17, 2024, at 9:00 a.m. (EX. 1.) Plaintiffs also served a subpoena upon T-Mobile¹ for the "historical call detail records" for General Finney's cell phone. (EX. 2.) Following a written objection to these subpoenas, Plaintiff's counsel and undersigned counsel conferred and were unable to reach an agreement. Pursuant to the

¹ T-Mobile is the incorrect carrier for the listed phone number, which has been redacted from exhibit 2, attached hereto. Tenn. Code Ann. § 10-7-503(a)(1)(A)(ii), (a)(5), (f)(1)(A), (f)(2). Nevertheless, General Finney seeks a protective order for the call records in question should a subpoena re-issue to the proper carrier.

accompanying memorandum of law, the Court should quash the subpoenas and grant protective orders because the information sought is confidential, privileged, and not subject to subpoena.

Respectfully submitted,

JONATHAN SKRMETTI
Attorney General and Reporter

s/Liz Evan
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was filed and served by operation of the Court's ECF/PACER system on this the 31st day of May 2023, upon:

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s/ Liz Evan
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